

Remarks

Claims 1-14 are pending in the present application. Reconsideration and allowance are requested in view of the above amendments and the remarks below.

The legend of FIG. 1 has been amended to include the text “Prior Art.”

The specification and claim 11 have been amended to correct the spelling error pointed out by the Examiner.

Claims 1-4 and 7-9 are rejected under 35 U.S.C. 103(a) over Jobst et al. (U.S. Patent No. 6,707,915), hereafter “Jobst,” in view of Koukoulidis et al. (U.S. Patent Publication No. 2003/0123669), hereafter “Koukoulidis.” This rejection is defective because the combination of Jobst and Koukoulidis fails to teach or suggest each and every feature of the claims as required by 35 U.S.C. 103(a).

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

In this case, the rejection is defective because, *inter alia*, the cited references, taken alone or in combination, fail to teach or suggest each and every feature of the claims as required by 35 U.S.C. 103(a).

Claim 1 sets forth:

“A text messaging system for the encryption of at least one text message sent to a wireless terminal equipment, the text message having an information data field and a text data field, the text messaging system comprising:

means for storing an equipment identification number uniquely assigned to the wireless terminal equipment;

means coupled to the equipment identification number storing means for encrypting the text data field content using the equipment identification number assigned to the wireless terminal equipment as the shared key; and

means for setting an encryption identifier in the information data field of the at least one text message.”

The Examiner alleges that Jobst discloses the claimed “means coupled to the equipment identification number storing means for encrypting the text data field content using the equipment identification number assigned to the wireless terminal equipment as the shared key” (Jobst, column 2: lines 20-45; column 6: lines 57-67; column 7: lines 1-36). Applicants respectfully disagree with the Examiner’s interpretation of Jobst.

Jobst discloses in column 2, lines 38-42, that the “phone password is stored in the phone and is calculated by combining the IMEI number and the Master Password by means of a secure hash algorithm, such as a public key algorithm (for example, the MD5 algorithm from the RSA Data Security Company.” However, nowhere does Jobst disclose that the **IMEI number itself is used as a shared key** for the encryption of the text data field content. Rather, Jobst discloses that the **combination** of the IMEI number and the Master Password is encrypted using an undisclosed public/shared key.

Koukoulidis does not remedy the glaring deficiencies of Jobst.

Accordingly, since Jobst and Koukoulidis, taken alone or in combination, fail to teach or suggest each and every feature of independent claim 1 as required by 35 U.S.C. 103(a), Applicants respectfully submit that independent claim 1 and its corresponding dependent claims 2-10 are allowable. Applicants further submit that independent claim 11 and its corresponding dependent claims 11-14 are allowable for reasons similar to those set forth above with regard to independent claim 1.

If the Examiner believes that anything further is necessary to place the application in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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